

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**JAMES COLLINS**

**PETITIONER**

**V.**

**NO. 2:10CV118-P-D**

**CASSANDRA L. LEWIS, et al.**

**RESPONDENTS**

**ORDER CLOSING CASE**

This matter comes before the court, *sua sponte*, for consideration of dismissal. James Collins, inmate 67254, has submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Collins has previously unsuccessfully challenged the same state court conviction contained in the instant petition. *See Collins v. Williams*, No. 2:01CV178-WAP (dismissed with prejudice February 21, 2002). The Petitioner has also had another successive petitions transferred to the Fifth Circuit Court of Appeals for consideration. *See Collins v. Epps*, No. 2:07CV100-WAP (transferred June 22, 2007, permission denied October 22, 2007); *Collins v. Streeter*, 2:09CV206-WAP (transferred on November 24, 2009, permission denied February 10, 2010).

The Antiterrorism and Effective Death Penalty Act of 1996 (Public Law No. 104-132, 110 Stat. 1214) (hereinafter, the AEDPA), which was signed into law on April 24, 1996, amended habeas corpus procedure in several different ways. One of the changes dealt with second or successive writs. The AEDPA requires that before a district court considers a second or successive petition, "the applicant shall move in the appropriate court of appeals for an order authorizing the district court to consider the application." Although Collins is seeking permission to file his petition, there is no showing that Petitioner has obtained such an order.

Therefore, it is ORDERED:

- 1) this petition is DISMISSED; and
- 2) this matter is CLOSED.

THIS the 17<sup>th</sup> day of August, 2010.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE